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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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10-17-00
#5
Petition to
Withdraw
Abandonment

In re Applicant:

John M. Adams

Filed: November 25, 1998

Serial No.: 09/199,854

For: Uterine Contraction Detection and
Initiation System and Method

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Group Art Unit: 3737

Examiner: Scott Getzow

Atty. Docket No.: 018033-00001

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

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TC 3700 MAIL ROOM

Dear Sir:

Applicant respectfully requests that the U.S. Patent Office withdraw its holding of abandonment in the above-referenced application. This Petition to Withdraw Holding of Abandonment is timely filed pursuant to 37 C.F.R. § 1.181(f).

Applicant received a Notice of Abandonment dated June 30, 2000 indicating that the above-referenced application was abandoned because the Patent Office did not receive a response to the Office Action dated November 9, 1999.

On May 5, 2000, Applicant filed a Response to the Office Action along with a Petition for a three (3) month extension to respond to the Office Action. Please find enclosed a copy of the Response and Petition. As stated in the certificate of mailing in the Response, Applicant deposited the Response and Petition with the United States Postal Service by First Class Mail

with sufficient postage and addressed the Response and Petition to the Assistant Commissioner for Patents, Box NON-FEE Amendment, Washington D.C. 20231 on May 5, 2000. The Petition requested a three month extension of time to respond the Office Action, extending the deadline to respond to May 9, 2000, and authorized the Patent Office to charge the fee of \$435.00, or any additional fee, to Deposition Account No. 12-1322 (018033-00001). The Patent Office's failure to receive the Response and Petition for an Extension of Time possibly resulted from an error committed by the United States Postal Service. Please find enclosed an Affidavit signed by Applicant's attorney, Philip T. Golden, swearing to the above facts.

Applicant respectfully requests that the Assistant Commissioner grant this Petition to Withdraw Holding of Abandonment and accept the enclosed Response to Office Action and Petition for an Extension of Time as though timely filed. Applicant believes no fee is required to file this Petition to Withdraw Holding of Abandonment; however the Commissioner is hereby authorized to charge any required fees to Deposition Account No. 12-1322 (018033-00001).

Respectfully submitted,

Date: 8/29/00



Philip T. Golden
PTO Registration No. 37,631

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3400 Chase Tower
600 Travis Street
Houston, Texas 77002-3095
Phone: (713) 226-1200
Fax: (713) 223-3717



CERTIFICATE OF MAILING

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OFFICE OF PETITIONS

I hereby certify that this document has been deposited with the United States Postal Service by first-class mail, with sufficient postage, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, this 29th day of August, 2000.

Philip T. Golden
PTO Registration No. 37,631

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OFFICE OF PETITIONS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#16
B. Webb
8/27/00

In re Applicant:

John M. Adams

Filed: November 25, 1998

Serial No.: 09/199,854

For: Uterine Contraction Detection and
Initiation System and Method

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Group Art Unit: 3737

Examiner: Scott Getzow

Atty. Docket No.: 018033-00001

AFFIDAVIT OF PHILIP T. GOLDEN AND EXHIBITS THERETO

STATE OF TEXAS

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COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Philip T. Golden, a person whose identity is known to me, who after being duly sworn, upon his oath, stated as follows:

1. "My name is Philip T. Golden. I am over the age of twenty-one (21) years, of sound mind, capable of making this affidavit, and have personal knowledge of the facts contained herein.
2. I am a patent attorney with the law firm of Locke Liddell & Sapp LLP. On May 5, 2000, I deposited with the United States Postal Service a Response to the Office Action dated November 9, 1999 in which a shortened statutory period for response was set to expire three (3) months later, along with a Petition and Fee For Extension of Time (37 CFR 1.136(a)) to respond to the Office Action. The Petition authorized the Commissioner to charge the fee of \$435.00, or any additional fee, to Deposit Account No. 12-1322 (018033-00001). Attached as Exhibits 1 and 2, respectively, are copies of the Repsonse to Office Action and the Petition and Fee For Extension of Time (37 CFR 1.136(a)).

Philip T. Golden
Philip T. Golden

SUBSCRIBED AND SWORN TO BEFORE ME this 29th day of August, 2000.

Sharon E. Denning
Notary Public
In and for the State of Texas

